

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

ORIGINAL
FILE

RECEIVED

JUN 22 1992

In the Matter of:

ICA, CFA Petition for Rulemaking
to Require Service Quality
Standards in LEC Tariffs

RM-7967

AAD 92-39

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COMMENTS

Tele-Communications Association ("TCA"), by its attorneys, hereby submits its comments in support of the Joint Petition for Rulemaking filed by the International Communications Association and the Consumer Federation of America. The Joint Petition asks the Commission to require price cap local exchange carriers ("LECs") to tariff their internal service quality standards. TCA agrees with the Petitioners that such tariffing, which was first recommended by TCA several years ago, would be in the public interest. TCA also urges the Commission to expand the requested rulemaking to consider adoption of periodic "report cards" which would disclose actual performance with respect to important service quality and reliability criteria.

I. INTRODUCTION

TCA is an association of telecommunications managers. Its members represent more than 1000 small, medium, and large users of telecommunications service, including government

No. of Copies rec'd
List A B C D E

O + 1/4

agencies, businesses, educational institutions, and hospitals. Because dependable, high quality service is essential to its members, TCA has long been the leading user voice on service quality and network reliability issues.

TCA's interest in these issues at the federal level stems from the Commission's 1987 price cap initiative. In comments in that proceeding, TCA cautioned that the cost-cutting incentives engendered by price cap regulation could adversely affect service quality and reliability. Consequently, TCA urged the Commission to improve its service quality monitoring and require the LECs to disclose their internal service quality standards.¹

Following the Bureau's adoption of ARMIS service quality reports in May 1991, TCA led a group of fifteen user organizations in filing an Application for Review of the Bureau's program.² That pleading, which remains pending, urged the Commission to direct the LECs to publish their internal standards in their tariffs, further disaggregate the ARMIS reports by geographic area and type of service, require exception reporting of wire centers that do not comply with

¹ See TCA Comments, CC Docket No. 87-313, filed July 26, 1988; TCA Reply Comments, CC Docket No. 87-313, filed Sept. 9, 1988; TCA Petition for Reconsideration, CC Docket No. 87-313, filed November 26, 1990; TCA Comments, CC Docket No. 87-313, filed April 10, 1991; TCA Reply Comments, CC Docket No. 87-313, filed April 25, 1992.

² TCA Application for Review CC Docket No. 87-313, filed June 17, 1991.

internal standards, and establish a LEC-user forum to promote the adoption of uniform, technologically reasonable standards.³

TCA welcomes the ICA/CFA Petition as an indication of the continuing interest of other users in these vital issues. For the reasons discussed herein and in the pending Application for Review, TCA encourages the Commission promptly to initiate a rulemaking to examine both the issues raised by the Joint Petition and the adoption of performance-based "report cards."

II. THE COMMISSION SHOULD GRANT THE JOINT PETITION.

ICA and CFA ask the Commission to initiate a rulemaking to determine "the most appropriate and effective means of requiring the LECs to include existing service quality standards in their tariffs."⁴ They state that tariffed quality of service standards will promote network reliability and help users pinpoint service quality problems. In addition, they explain that such standards should be viewed as essential terms of the agreement between carriers and their customers.

³ In addition, in the past year, TCA has actively participated in the Commission's outage reporting proceeding and has submitted detailed recommendations to the Network Reliability Council.

⁴ Joint Petition at 18.

ICA and CFA suggest that the tariffs should include standards for bit error rate and availability for digital transmission services, and signal-to-noise ratio, call completion, and post-dial delay for analog dial-up services. They note that inclusion of service quality standards in tariffs would not be a significant burden, particularly since the carriers recently have released this information to Congress.⁵

TCA concurs with the Petitioners that requiring the LECs to publish their internal service quality standards in their tariffs would yield several significant public interest benefits. As TCA has previously explained, such tariffing would enable users and the Commission to "benchmark" carriers and identify any companies that have unreasonably low standards. It would also place the ARMIS data in context and give meaning to the current "pass/fail" reporting scheme. Moreover, tariffing would ensure that any reduction in the LECs' standards would occur only after public notice and full justification by the carriers. Finally, by disseminating expected performance data, tariffing would help users plan their networks.

TCA also agrees with the Petitioners that, because the LECs already have provided their standards (as of October

⁵ ICA and CFA cite the February 1992 Majority Staff Report of the House Telecommunications and Finance Subcommittee.

1991) to Congress, publication of the information in their tariffs would not be a significant burden. Moreover, any nominal costs incurred by the LECs in tariffing this information would be outweighed by the benefits of disclosure.

To enhance the utility of the ICA/CFA proposal, however, TCA believes the list of standards to be included in tariffs should be somewhat expanded. Specifically, the tariffs should also disclose installation and repair intervals for all services,⁶ as well as error-free seconds for digital services.⁷

III. THE RULEMAKING ALSO SHOULD CONSIDER THE ADOPTION OF PERFORMANCE-BASED REPORT CARDS.

The disclosure of standards, while extremely beneficial to users, does not itself give any indication of true performance. To close this gap, TCA strongly supports Chairman Sikes' proposal to establish "report cards" that

⁶ The data submitted to Congress show that the same installation and repair intervals often apply to major service categories. For example, each carrier generally quotes the same intervals for Feature Groups B, C, and D (although the intervals vary widely across carriers). Accordingly, tariffing those intervals should not require much effort.

⁷ The error-free second standard is necessary because the Majority Staff Report reveals that most LECs use this measurement rather than bit error rate.

would periodically disclose the LECs' actual service quality levels.

These report cards would detail each carrier's performance in key categories and permit benchmarking of service quality and reliability levels across carriers. Such benchmarking would enable users and the Commission quickly to assess individual and relative reliability and quality. Not only would these reports facilitate the determination of "best performance," but, as Chairman Sikes noted at the first meeting of the Network Reliability Council, they would provide incentives for the carriers to employ "best practices."

Specifically, TCA recommends that the Tier 1 LECs be required to file semi-annual report cards that include the following information:

- Results of customer satisfaction surveys, broken down by class of customer (business or residential) and location (MSA or non-MSA) within each state. To provide meaningful results, these surveys should be uniform for each LEC and designed by an impartial entity.⁸
- Actual average installation times for residential service, business service, voice grade private lines (1-4 circuits), Feature Group D access service (1-4 trunks), and DS-1 service (1-4 circuits), broken down by MSA and non-MSA within each state.

⁸ TCA believes the current customer satisfaction surveys are flawed in two major respects. First, they are not standardized, making benchmarking impossible. Second, they are designed by the LECs to virtually guarantee a good result.

- Actual average repair times for these same services and geographic areas.
- Actual availability and error-free second measurements for 56 kbps lines, DS1 lines, and DS3 lines in each state, once non-intrusive means of measuring these criteria are widely deployed.

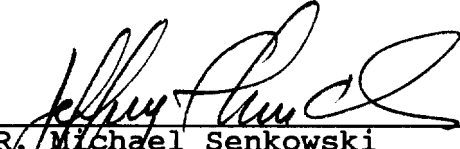
IV. CONCLUSION

For the foregoing reasons, TCA respectfully requests that the Commission initiate a rulemaking proceeding to require disclosure of internal service quality standards in the LECs' tariffs and develop a "report card" approach to disclosing actual performance.

Respectfully submitted,

TELE-COMMUNICATIONS ASSOCIATION

By:


R. Michael Senkowski
Jeffrey S. Linder
1776 K Street, N.W.
Washington, D.C. 20006
(202) 429-7000

Its Attorneys

June 22, 1992

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of June, 1992, I caused copies of the foregoing "Comments" to be mailed via first-class postage prepaid mail to the following:

Brian R. Moir
FISHER, WAYLAND, COOPER & LEADER
Suite 800
1255 23rd Street, N.W.
Washington, DC 20037

Gene Kimmelman
Consumer Federation of America
Suite 604
1424 16th Street, N.W.
Washington, DC 20036



Jeffrey S. Linder